



Dora

Department of Regulatory Agencies

COLORADO BOARD OF CHIROPRACTIC EXAMINERS

OPEN SESSION MINUTES

September 26, 2013

One Civic Center Plaza

1560 Broadway, Suite 1250 C

Denver, CO 80202

www.dora.state.co.us/chiropractic

WELCOME AND ATTENDANCE

The Colorado State Board of Chiropractic Examiners meeting convened at 9:09 A.M. Those in attendance were:

Board Members:

Mr. Marshall Snider, J.D., Public Member – President

Dr. Richelle Knowles, D.C., Professional Member – Vice President

Dr. Julie Scott, D.C., Professional Member – Secretary

Dr. Michelle Wendling, D.C., Professional Member

Others scheduled to be present:

Marschall Smith, Program Director

Robert Finke, J. D., Assistant Attorney General

Lisa Hill, Program Manager

Nancy Werner, Program Specialist

Melissa Garner, Expedited Settlement Specialist

REMARKS AND OPEN FORUM

- Marschall Smith, Program Director, Colorado Board of Chiropractic Examiners, announced his departure from DORA and Lisa Hill as the new appointed interim program director. He discussed the license renewal fee increase.
- Vineta Campau, Executive Director, Colorado Chiropractic Association (CCA), requested on behalf of CCA additional information on the license renewal fee increase.



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- There were no comments from the public.

REGULAR BUSINESS MATTERS

- Upon motion duly seconded, the Board voted unanimously to approve without amendment the Minutes from the July 25, 2013 Open Session Board meeting.
- Upon motion duly seconded, the Newly Licensed Report was ratified without amendment.
- The Monitoring/Active Stipulation Report was acknowledged.

EXECUTIVE SESSION

- Upon motion duly seconded, the Board unanimously voted to enter Executive Session at 9:37 a.m.

Pursuant to Colorado Revised Statutes, section 24-6-402(3)(a)(II), the Board entered into executive session to confer with counsel and to receive legal advice on specific legal questions regarding the legal basis for potential disciplinary action, and, where warranted, recommended settlement guidance for matters discussed in open session today and referred for discipline and discussion in executive session, specifically for:

- Dr. Joshua Alvarado, D.C.;
- Dr. Steven Moller, D.C.;
- Dr. Todd Williams, D.C.;
- Request submitted by the CCA,

and matters required to be kept confidential by federal law or rules and state statutes pursuant to Colorado Revised Statutes, section 24-6-402(3)(a)(III). Pursuant to 42 Code of Federal Regulations Part 2, regarding drug and alcohol treatment records of a licensee whose identity and treatment information is confidential.

After discussion, the Board exited the Executive Session at 10:46 a.m.

- Upon motion duly seconded, the Board unanimously voted to enter a second Executive Session at 12:46 p.m.



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Pursuant to Colorado Revised Statutes, section 24-6-402(3)(a)(II), the Board entered into executive session to confer with counsel and to receive legal advice on specific legal questions regarding the legal basis for potential disciplinary action, and, where warranted, recommended settlement guidance for matters discussed in open session today and referred for discipline and discussion in executive session, specifically for:

- Dr. Lance Mahoney, D.C.;
- Dr. Lawrence Sutton, D.C.,

and matters required to be kept confidential by federal law or rules and state statutes pursuant to Colorado Revised Statutes, section 24-6-402(3)(a)(III). Pursuant to 42 Code of Federal Regulations Part 2, regarding drug and alcohol treatment records of a licensee whose identity and treatment information is confidential.

After discussion, the Board exited the Executive Session at 12:53 p.m.

LICENSING MATTERS

- Dr. Joshua Alvarado, D.C. (initial) – Application by Examination
Upon motion duly seconded, the Board voted unanimously to grant Dr. Joshua Alvarado, D.C., an initial license by examination with an Electrotherapy credential.
- Dr. Brett Diaz, D.C. (initial) – Application by Endorsement
Upon motion duly seconded, the Board voted unanimously to grant Dr. Brett Diaz, D.C., an initial license by endorsement.
- Dr. Christopher Mansolf, D.C. (initial) – Application by Endorsement
Upon motion duly seconded, the Board voted unanimously to grant Dr. Christopher Mansolf, D.C., an initial license by endorsement with an Electrotherapy credential.
- Dr. Steven Moller, D.C. (CHR4839 expired) – Reinstatement Application
Upon motion duly seconded, the Board voted unanimously to deny Dr. Steven Moller, D.C., a reinstated license.
- Dr. Michael Sells, D.C. (initial) – Application by Endorsement
Upon motion duly seconded, the Board voted unanimously to table Dr. Michael Sells, D.C.'s, application pending additional information.
- Dr. Arin Thomas, D.C. (CHR5444 restricted) – Reinstatement Application



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Upon motion duly seconded, the Board voted unanimously to grant Dr. Arin Thomas, D.C., a reinstated license without restrictions.

- Dr. Todd Williams, D.C. (initial) – Application by Examination
Upon motion duly seconded, the Board voted unanimously to deny Dr. Todd Williams, D.C., an initial license.

NEW BUSINESS

- The Board noted the new ***ProBe Plus*** Program.
- The Board reviewed Rules 1, 2, 3, 4, 6, and drafted potential revisions in part of Rules 1, 3, and 4.

Upon motion duly seconded, the Board voted unanimously to authorize Board member Dr. Michelle Wendling, D.C., to draft a potential revision of Rule 6 in conjunction with Program Manager Lisa Hill.

- The Board reviewed Policies 10-4, 10-5, 10-7, 10-9, and 10-10, and drafted potential revisions to 10-5, 10-9, and 10-10.

OLD BUSINESS

- §12-33-124, C.R.S. – Profession Service Corporations, the Board continued their discussion from the May Board Meeting.
- Board Rule 13 – Advertisement of Free or Discounted Services
The Board drafted a potential revision in part of Rule 13.

COMPLIANCE MATTERS

- Dr. Megan Epps, D.C. (CHR6565) – CE Self Report
Upon motion duly seconded, the Board voted unanimously to waive compliance for Dr. Megan Epps, D.C., of Board Rule 8 over the period November 1, 2011 through October 31, 2013.
- Dr. Daniel Hill, D.C. (CHR6346) – Stipulation and Final Agency Order
A motion was made to deny Dr. Daniel Hill, D.C.'s request for early release from his Stipulation and Final Agency Order.



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Upon motion duly seconded, the Board voted unanimously to withdraw the motion to deny, and table consideration of this matter until discussion of closed session agenda.

Upon motion duly seconded, the Board voted unanimously to deny Dr. Daniel Hill, D.C.'s request for early release from his Stipulation and Final Agency Order.

- Dr. Lance Mahoney, D.C. (applicant) – Stipulation and Final Agency Order
Upon motion duly seconded, the Board voted to table applicant's conditional license for additional information.

ADDENDUM

Dr. Lawrence Sutton, D.C. (CHR1421 expired)

Upon motion duly seconded, the Board voted unanimously to deny Dr. Lawrence Sutton, D.C., a reinstated license.

THE OPEN SESSION RECESSED FOR CLOSED SESSION FROM 12:55 P.M. UNTIL 2:09 P.M.

THE OPEN SESSION RESUMED AT 2:10 P.M.

THE OPEN SESSION ADJOURNED AT 2:12 P.M.

The next Open Session of the Colorado Board of Chiropractic Examiners meeting will take place on November 14, 2013, at 9:00 A.M. at 1560 Broadway, Denver, Colorado, in Conference Room 110 D.

This meeting was noticed to the public in accordance with § 24-6-402(2)(c), C.R.S. The agenda is subject to change. If changes occur prior to the meeting, a revised agenda will be available at the meeting site. Pursuant to statute, Executive Session is closed to the public. Board Meeting agendas, dates, and locations may be accessed on DORA's website: www.dora.state.co.us/chiropractic



Marshall Snider – President



Date